

**CONFERENCE COMMITTEE REPORT
DIGEST FOR EHB 1121**

Citations Affected: IC 9-21-1.

Synopsis: Motor vehicles. Conference committee report for EHB 1121. Provides that state and local traffic regulation may occur on private roads and highways. Establishes a procedure by which a local authority may adopt additional traffic regulations by ordinance regarding a private road within the authority's jurisdiction. Makes conforming amendments. (This conference committee report deletes everything in the current bill and provides that state and local traffic regulation may occur on private roads and highways, establishes a procedure by which a local authority may adopt additional traffic regulations by ordinance regarding a private road within the authority's jurisdiction, and makes conforming amendments.)

Effective: Upon passage.

CONFERENCE COMMITTEE REPORT

MR. PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1121 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning motor
- 3 vehicles.
- 4 Delete everything after the enacting clause and insert the following:
- 5 SECTION 1. IC 9-21-1-2 IS AMENDED TO READ AS FOLLOWS
- 6 [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A local authority may
- 7 adopt by ordinance additional traffic regulations with respect to ~~streets,~~
- 8 ~~and~~ highways under the authority's jurisdiction. An ordinance adopted
- 9 under this subsection may not conflict with or duplicate a statute.
- 10 (b) **After a request has been made at a public meeting or by**
- 11 **certified mail to the legislative body (as defined in IC 36-1-2-9)**
- 12 **from the property owner, a local authority may adopt by ordinance**
- 13 **additional traffic regulations with respect to a private road within**
- 14 **the authority's jurisdiction. The ordinance:**
- 15 (1) **must require a contractual agreement between the local**
- 16 **authority and property owner of the private road setting forth**
- 17 **the terms and responsibilities of the additional traffic**
- 18 **regulations;**
- 19 (2) **must require the contractual agreement required under**
- 20 **subdivision (1) to be recorded after passage of the ordinance in**
- 21 **the office of the recorder of the county in which the private**
- 22 **road is located; and**

(3) may not conflict with or duplicate state law.

(c) A fine assessed for a violation of a traffic ordinance adopted by a local authority may be deposited into the general fund of the appropriate political subdivision.

SECTION 2. IC 9-21-1-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) A local authority, with respect to **private roads** ~~streets~~, and highways under the authority's jurisdiction, **in accordance with section 2 of this chapter**, and within the reasonable exercise of the police power, may do the following:

(1) Regulate the standing or parking of vehicles.

(2) Regulate traffic by means of police officers or traffic control signals.

(3) Regulate or prohibit processions or assemblages on the highways.

(4) Designate a highway as a one-way highway and require that all vehicles operated on the highway be moved in one (1) specific direction.

(5) Regulate the speed of vehicles in public parks.

(6) Designate a highway as a through highway and require that all vehicles stop before entering or crossing the highway.

(7) Designate an intersection as a stop intersection and require all vehicles to stop at one (1) or more entrances to the intersection.

(8) Restrict the use of highways as authorized in IC 9-21-4-7.

(9) Regulate the operation of bicycles and require the registration and licensing of bicycles, including the requirement of a registration fee.

(10) Regulate or prohibit the turning of vehicles at intersections.

(11) Alter the prima facie speed limits authorized under IC 9-21-5.

(12) Adopt other traffic regulations specifically authorized by this article.

(13) Adopt traffic regulations governing traffic control on public school grounds when requested by the governing body of the school corporations.

(b) An ordinance or regulation adopted under subsection (a)(4), (a)(5), (a)(6), (a)(7), (a)(8), (a)(10), (a)(11), (a)(12), or (a)(13) is effective when signs giving notice of the local traffic regulations are posted upon or at the entrances to the highway or part of the highway that is affected.

SECTION 3. IC 9-21-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. Except when a different place is specifically referred to, this article applies ~~exclusively~~ to the operation of vehicles upon highways **including and private streets or** roads of a residential subdivision, regardless of who maintains them.

SECTION 4. **An emergency is declared for this act.** (Reference is to EHB 1121 as reprinted February 26, 2002.)

Conference Committee Report
on
Engrossed House Bill 1121

Signed by:

Representative Weinzapfel
Chairperson

Senator Server

Representative Thompson

Senator Lanane

House Conferees

Senate Conferees